

¹The court's memorandum and order was dated March 18, 2009, but it was not docketed until March 19, 2009. (*See* Doc. 49.)

(Doc. 59, ¶ 2.) Plaintiff's reply brief was due on April 30, 2009, but no reply was filed making this motion ripe for consideration.

Significant time has now passed since the filing of this motion and the court is not heard anything further from Plaintiff about whether Defendants have complied with the court's orders. Given this silence and the filings by both parties that have occurred since then, the court will assume that Defendants have either fully complied with the courts orders or that the parties have reached an agreement concerning a time-frame for Defendants to comply. There fore, the court will deny Plaintiff's motion without prejudice.

In light of the foregoing, **IT IS HEREBY ORDERED THAT** Plaintiff's motion to compel compliance with the court's March 18, 2009 and March 23, 2009 orders, (Doc. 57), is **DENIED** without prejudice for Plaintiff to re-file the motion if Defendants still have not complied and/or there is no agreement between the parties concerning a time-frame for Defendants to comply.

s/Sylvia H. Rambo
United States District Judge

Dated: June 12, 2009.